

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA	:	
	:	<b>PRELIMINARY ORDER OF</b>
- v. -	:	<b>FORFEITURE AS TO</b>
	:	<b><u>SUBSTITUTE ASSETS</u></b>
WILLIAM R. COSME,	:	
	:	S1 13 Cr. 043 (LAP)
Defendant.	:	
	:	
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WHEREAS, on or about February 1, 2017, WILLIAM R. COSME (the “Defendant”), was charged in a two-count Superseding Indictment, S1 13 Cr. 043 (LAP) (the “Indictment”), wire fraud in violation of Title 18 Sections 1343 and 2 (Count One), and with aggravated identity theft, in violation of Title 18, United States Code, Sections 1028A and 2 (Count Two);

WHEREAS, on or about March 21, 2017, the Defendant was found guilty, following a jury trial, of Counts One and Two of the Indictment;

WHEREAS, on or about March 30, 2017, the Court entered a Preliminary Order of Forfeiture as to Specific Properties/Money Judgment(D.E. 345), imposing a money judgment against the Defendant in the amount of \$5,500,000.00 (the “Money Judgment”), representing the amount of proceeds traceable to the offenses charged in Counts One and Two of the Indictment and ordering the forfeiture to the United States of all right, title and interest of WILLIAM R. COSME in certain property (the “Specific Property”);

WHEREAS, on or about November 21, 2019, the Court entered a Final Order of Forfeiture (D.E. 428), forfeiting all right, title and interest in the Specific Property to the

Government.<sup>1</sup>

WHEREAS, to date, \$2,639,763.31 of the Money Judgment against the Defendant remains unpaid;

WHEREAS, as a result of acts and omissions of the Defendant, the Government, despite its exercise of due diligence, has been unable to locate or obtain the remaining proceeds of the offenses charged in Counts One and Two of the Indictment, with the exception of the Specific Property;

WHEREAS, the Government has identified the following specific asset in which the Defendant has an ownership interest: a check in the amount of \$5,589.98, made payable to the United States Marshals Service received from the Commonwealth of Pennsylvania, Bureau of Unclaimed Property representing funds owed to the Defendant (the “Substitute Asset”); and

WHEREAS, the Government is seeking the forfeiture of all of the Defendant’s right, title and interest in the Substitute Asset.

NOW IT IS THEREFORE ORDERED, ADJUDGED AND DECREED THAT:

1. All of the Defendant’s right, title and interest in the Substitute Asset is hereby forfeited to the United States of America, for disposition in accordance with the law, subject to the provisions of Title 21, United States Code, Section 853(n).

2. Upon entry of a Final Order of Forfeiture, the Substitute Asset shall be applied towards the satisfaction of the Money Judgment entered against the Defendant.

3. Pursuant to Title 21, United States Code, Section 853(n)(1), Rule 32.2(b)(6) of the Federal Rules of Criminal Procedure, and Rules G(4)(a)(iv)(C) and G(5)(a)(ii) of the

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<sup>1</sup> The Specific Property was liquidated, and the net proceeds of \$2,860,236.69 was applied towards the partial satisfaction of the Money Judgment.

Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions, the United States shall publish for at least thirty (30) consecutive days on the official government internet forfeiture site, [www.forfeiture.gov](http://www.forfeiture.gov), notice of this Preliminary Order of Forfeiture as to Substitute Assets and provide notice that any person, other than the Defendant in this case, claiming an interest in the Substitute Asset must file a petition within sixty (60) days from the first day of publication of the notice on this official government internet site, or no later than thirty-five (35) days from the mailing of actual notice, whichever is earlier.

4. The notice referenced in the preceding paragraph shall state that the petition shall be for a hearing to adjudicate the validity of the petitioner's alleged interest in the Substitute Asset, shall be signed by the petitioner under penalty of perjury, and shall set forth the nature and extent of the petitioner's right, title or interest in the Substitute Asset and any additional facts supporting the petitioner's claim and the relief sought, pursuant to Title 21, United States Code, Section 853(n).

5. The United States may also, to the extent practicable, provide direct written notice to any person, other than the defendant, known to have an alleged interest in the Substitute Asset, as a substitute for published notice as to those persons so notified.

6. Upon adjudication of all third-party interests, this Court will enter a Final Order of Forfeiture with respect to the Substitute Asset, pursuant to Title 21, United States Code, Section 853(n), in which all interests will be addressed.

7. The Court shall retain jurisdiction to enforce this Preliminary Order of Forfeiture as to Substitute Assets, and to amend it as necessary, pursuant to Federal Rule of Criminal Procedure 32.2(e).

Dated: New York, New York  
February 26, 2024

SO ORDERED:

A handwritten signature in black ink, reading "Loretta A. Preska". The signature is written in a cursive, flowing style.

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HONORABLE LORETTA A. PRESKA  
UNITED STATES DISTRICT JUDGE